

SMOKEFREE RESTAURANTS: SAFE AIR & SAFE FOR THE BOTTOM LINE

Published in the Gazette July 9, 2004

by Phil Andrews

The facts are in. Restaurant revenues and sales tax receipts for Montgomery County restaurants have risen over 7 percent since the County's smoking ban took effect last October 9, according to Maryland state sales tax data.

The facts soundly refute claims by the Restaurant Association that business is down in County restaurants since passage of the measure that protects restaurant employees and customers alike from the well-documented dangers of second-hand smoke. In addition, 56 new restaurant applications have been received in the County since the law went into effect.

The state sales tax data shows that receipts increased by \$2 million for all Montgomery restaurants – from \$27.3 million between October 2002 to March 2003 to \$29.3 million between October 2003 and March 2004. Restaurant revenues increased by \$40 million over the same period.

Since the Council passed the Smokefree Restaurant Law the air is safe in all County restaurants and the cash registers continue to ring. These figures show that diehard opponents who claim this measure hurts the restaurant industry are blowing smoke – and putting their own convenience before the public's health.

Until last year thousands of workers and customers in Montgomery County restaurants breathed dangerous air on the job. That ended for good on October 9, 2003, when the County's Smokefree Restaurant Law took effect.

Few if any laws have protected the public health so quickly and dramatically at no cost. Second-hand smoke can trigger life-threatening asthma attacks, impairs heart function within 30 minutes, and increases the risk of lung cancer. The American Cancer Society, the American Heart Association, and the American Lung Association are among the laws strongest supporters.

Last July 1st, after hearing compelling evidence about the dangers of second-hand smoke and expert testimony about the inability of ventilation systems to provide safe air in the presence of second-hand smoke, the County Council overwhelmingly approved a restaurant smoking ban to protect the health of restaurant workers and patrons.

Since Montgomery County's law took effect, the cities of Takoma Park, Rockville, and Gaithersburg and Talbot County have enacted smokefree restaurant laws in Maryland,

and a smokefree workplace bill came within one vote of reaching the Senate floor in the 2004 session of the Maryland General Assembly.

Yet, despite the compelling evidence of the need for smokefree workplaces, some restaurant owners and the Maryland Restaurant Association continue to claim that smokefree restaurant laws are bad for the restaurant business in general.

Their “doom and gloom” predictions are contradicted by the facts. Montgomery County's experience is consistent with that of other jurisdictions that have enacted smoking bans. In fact, the same day I released the data, researchers at the University of Florida released data showing identical results in Florida since the Sunshine State's smokefree restaurant law took effect. New York and California have had similar results since their smoking bans took effect.

In fact every objective study has found that restaurant industry revenues remain stable or increase after restaurant smoking bans take effect. Smokers are used to not smoking inside public places now, two decades since smoking was banned on airplanes and in hospitals. However, until recently the political power of the restaurant industry prevented the passage of smokefree restaurant laws.

The facts about the dangers of second-hand smoke, however, are winning out. On June 24, the Rhode Island State Senate voted 30-0 for a statewide smokefree workplace law. Massachusetts' smokefree workplace law takes effect July 5. Even Ireland's restaurants and pubs are now smokefree.

According to a statewide poll conducted by Republican polling firm QEV Analytics last December, 67 percent of Marylanders favor prohibiting smoking in restaurants. Seventy-eight percent of those polled said that the right of customers and employees to breathe clean air was more important than the right of smokers to smoke inside (15 percent). Thirty-four percent said they would eat out more often if all Maryland restaurants were smokefree, as opposed to only 9 percent who said less often and 53 percent who said they would eat out about the same.

The question isn't whether -- but when -- lawmakers in the District of Columbia and the Maryland General Assembly will do their duty to protect restaurant workers and patrons from the well-documented dangers of second-hand smoke.

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